

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:04-CR-00066-RLV-CH**

UNITED STATES OF AMERICA,

v.

MICHAEL GRAYLEN WHEELER,

Defendant.

ORDER

BEFORE THE COURT is Michael Wheeler’s “Motion for Relief of Federal Detainer of a Probation Violation Hold.” (Doc. 83). Mr. Wheeler filed this document *pro se* even though he is represented by counsel. Local Rule of Criminal Procedure 47.1 governs motions practice in criminal cases. Paragraph (G) concerns *pro se* motions filed by criminal defendants who are represented by counsel. The Rule provides that the Court “will not ordinarily entertain a motion filed by a criminal defendant who is still represented by counsel and has not formally waived his or her right to counsel in the presence of a judicial officer Exceptions to this general rule may be made in the discretion of the judicial officer considering the *pro se* motion.” The Court finds that there are no grounds present to depart from the general rule. Accordingly, said motion is **DENIED**.

SO ORDERED.

Signed: April 6, 2016



Richard L. Voorhees
United States District Judge

